IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 19458 of 2004

Between:

1.S.K. Masthan Bee, W/o Uppu Masthan, Indian,
R/o Ibrahimpeta, Besides Pancha Ratna Cinema Hall, Bitragunta.
2. Kirmani Abdul Waheb, s/o Kiramani, Indian,
R/o 11-3-12, Chinkamvari Veedhi, Kavali,
3.K. Malyadri, s/o K. Masthan, Hindu,
R/o Chenchu Laxmipuram, Bitragunta.
4.S.K. Jameela, W/o Jaffar, Indian,
R/o 11-33-655, Darga Veedhi, Bitragunta Railway Gate, Kavali.

..... PETITIONERS.

AND

1. The Senior Deputy Security Commissioner (RPF), South Central Railway, Secunderabad.
2. The Assistant Security Commissioner, South Central Railway (RPF), Secunderabad.
3. Ramaiah, Major, Inspector (CIB),Vijayawada.
4. K. Krishna Rao, Major, Inspector (RPF) Ongole.

5. Narayana Swamy, Major, S.I.(RPF),
Nellore.
6. D. Srinivas, Major, S.I.(RPF), Gudur.
7. S.K. Johny, Major, S.I.(RPF)
Vijayawada.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction particularly one in the nature of writ of Habeas Corpus directing the respondents to produce the family members of the petitioners by name S.K. Ahamed Basha, S.K. Khadir Basha, Kirmani Safdar Hussain, Kakani Masthan and S.K. Jafar before this Hon'ble Court.

Counsel for the Petitioner: None appeared

Counsel for the Respondents: Mr.Gowri Shankar Sanghi

SC for Railways.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

None for the petitioner.

Affidavit in reply has been filed on behalf of the respondents 1 &2 and 3 to 7. Insofar as the alleged detenus are concerned, it was stated on the last date that the other detenus have since been granted bail. But, it was pointed out that whereabouts of S.K.Jaffar are not known. The affidavits in reply state that S.K.Jaffar is not involved in Crime No.15 of 2004 and none of the respondents visited the shop or house of S.K.Jaffar at Kavali and he was not detained by the respondents. In that view of the matter, no further orders are required to be issued in this case, except, by reserving liberty to the petitioners or anybody else to file a complaint, in case, whereabouts of S.K.Jaffar are still unknown, in the concerned Police Station, so that, in case, S.K.Jaffar is still untraced, appropriate action in accordance with law will be taken by the Police. The Writ Petition, therefore, is closed.

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DEVINDER GUPTA, C.J.

09.11.2004.

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C.V.RAMULU, J

VR.

To

1. The Senior Deputy Security Commissioner (RPF), South Central Railway, Secunderabad.
2. The Assistant Security Commissioner, South Central Railway (RPF), Secunderabad.
3. Two CD copies.